

**Alaska Department of Environmental Conservation  
Air Permits Program**

**Public Comment - April 22, 2021**

**Doyon Utilities, LLC  
Fort Wainwright (Privatized Emission Units)**

**STATEMENT OF BASIS  
for the terms and conditions of  
Permit No. AQ1121TVP03**

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## INTRODUCTION

This document sets forth the statement of basis for the terms and conditions of Operating Permit AQ1121TVP03.

## STATIONARY SOURCE IDENTIFICATION

Section 1 of Operating Permit AQ1121TVP03 contains information on the stationary source as provided in the Title V permit application.

Fort Wainwright is classified as a single stationary source but has been issued two separate permits under 40 CFR Part 71. The emissions units covered by this permit are owned and operated by the Permittee, Doyon Utilities, LLC (DU). DU is the owner and operator of utility systems and certain emissions units at Fort Wainwright. DU provides utility services to the Federal Government under the terms and conditions of the Utilities Privatization contract. The services include backup power generation; electrical distribution; potable water treatment and distribution; wastewater collection; and central heat and steam distribution.

The Standard Industrial Classification (SIC) code for this stationary source is 9711 and North American Industrial Classification System (NAICS) code is 928110.

## EMISSIONS UNIT INVENTORY AND DESCRIPTION

Under 18 AAC 50.326(a), the Department requires operating permit applications to include identification of all emissions-related information, as described under 40 CFR 71.5(c)(3).

The emissions units at Fort Wainwright (Privatized Emission Units) that have specific monitoring, recordkeeping, and reporting requirements are listed in Table A of Operating Permit AQ1121TVP03.

Table A of Operating Permit AQ1121TVP03 contains information on the emissions units regulated by this permit as provided in the application. The table is provided for informational and identification purposes only. Specifically, the source rating/size provided in the table is not intended to create an enforceable limit.

The emission units covered by Operating Permit AQ1121TVP03 include six coal-fired boilers, each rated 230 MMBtu/hr (EU IDs 1 through 6); the 150 tons per hour (tph) coal handling plant (EU IDs 7a through 7c); a backup engine rated at 2,937 hp (EU ID 8); and emergency diesel-fired engines (EU IDs 9, 14, 22, 23, 29a through 33a, and 34 through 37). Note that EU IDs 1 through 7 were initially included in Operating Permit AQ0236TVP01 Rev. 2, until being removed and permitted separately in Operating Permit AQ1121TVP01. Additionally, the ownership transfer of 16 engine-generator sets (EU IDs 10 through 13, 15 through 21, and 24 through 28) from Doyon Utilities to US Army Garrison Alaska occurred on December 28, 2018. The units have new IDs and are now covered by Operating Permit AQ0236TVP03, Revision 3.

Central heat and steam distribution occur at the Fort Wainwright Central Heat and Power Plant (CHPP). The CHPP operates six coal-fired boilers as well as a coal preparation plant. Emergency power generation is provided by multiple diesel-fired generator sets located throughout the Fort Wainwright facility. EU ID 8 will become a non-emergency engine (backup) upon the date supplied to EPA in the Initial Notification required by 40 CFR 63 Subpart ZZZZ. Appropriate conditions are included in Operating Permit AQ1121TVP03 to allow for the transition from

emergency to non-emergency operation. Emergency backup for lift station pumps for the wastewater collection system is provided by diesel-fired engines and pumps at multiple locations at Fort Wainwright.

Per 18 AAC 50.326(d)(1)(A), the emergency engines, EU IDs 9, 14, 22, 23, 29a through 33a, and 34 through 37 are not insignificant because they are subject to federal requirements in 40 CFR 60 Subpart IIII or 40 CFR 63 Subpart ZZZZ. Potential emissions for EU IDs 9, 14, 22, 23, 29a through 33a, and 34 through 37 are based on 500 hr/yr per emissions unit, as referenced in the September 6, 1995 memo from Air Quality Planning and Standards Director John S. Seitz. They are only to be used when electrical power from the power plant is unavailable.

### EMISSIONS

A summary of the potential to emit (PTE)<sup>1</sup> and assessable PTE for the Fort Wainwright (Privatized Emission Units) portion of the stationary source is shown in Table D below. The emission estimates were provided by Doyon Utilities, LLC in the January 14, 2021 application addendum. Additionally, since the Fort Wainwright (Privatized Emission Units) and the US Army Garrison Alaska (USAGA) Fort Wainwright comprise the total stationary source, the emissions summary for Operating Permit AQ0236TVP04 are shown, but not included in the assessable PTE.

**Table D - Emissions Summary, in Tons Per Year (tpy) – Doyon Utilities, LLC**

Pollutant	NOx	CO	PM <sub>2.5</sub>	PM <sub>10</sub>	PM	SO <sub>2</sub>	VOC	HAP	CO <sub>2e</sub>	Total
AQ1121TVP03 PTE	1,497.9	848.8	121.4	137.0	140.5	1,764.9	9.7	31.4	549,730	4,293.2
AQ0236TVP04 PTE (includes fugitive PM and VOC emissions)	85.4	20.2	5.8	22.5	97.8	67.9	44.7	4.3	19,230	
Total Stationary Source PTE	1,583.3	869	127.2	159.5	238.3	1,832.8	54.4	35.7	568,960	
AQ1121TVP03 Assessable PTE	1,498	849	Included in PM		141	1,765	10	25	N/A	4,288

Table Notes:

- a. HAP PTE includes 25.2 tpy HF, 2.3 tpy of HCl, 2.8 tpy metals, and 0.8 tpy of Benzene, Benzyl chloride, and cyanides
- b. The 0.8 tpy of Benzene, Benzyl chloride, and cyanides are included in the Assessable PTE for VOC.
- c. The 25 tpy Assessable PTE for HAP consists of only HF because other individual HAP are each below 10 tpy.
- d. CO<sub>2e</sub> is carbon dioxide equivalent of greenhouse gases, as defined in 40 CFR 98.6.
- e. PTE for USAGA portion of stationary source is from Table D of the Statement of Basis to Permit AQ0236TVP04, issued June 11, 2020.

The assessable PTE listed under Condition 76.1 is only the portion of the total stationary source PTE that is associated with Operating Permit AQ1121TVP03 and the emissions units listed in Table A. Assessable PTE is the sum of the PTE of each individual air pollutant, other than

<sup>1</sup> *Potential to Emit* or *PTE* means the maximum capacity of a stationary source to emit a pollutant under its physical or operational design. Any physical or operational limitation on the capacity of the source to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design if the limitation or the effect it would have on emissions is federally enforceable. Secondary emissions do not count in determining the potential to emit of a stationary source. Potential to emit is defined in AS 46.14.990(22).

greenhouse gases, for which the entire stationary source has the potential to emit in quantities of 10 tpy or greater. Because the Fort Wainwright stationary source has VOC emissions of 54.4 tpy, Doyon Utilities, LLC is assessed their portion of the total, even though that portion is below 10 tpy. The emissions listed in Table D are estimates that are for informational use only. The listing of the emissions does not create an enforceable limit to the stationary source.

The permit renewal application of May 3, 2019 did not include an estimate for total particulate matter (PM). The Department requested this information and DU provided it in an application addendum on January 14, 2021. The addendum also revised estimates for other criteria pollutant emissions. HAP and greenhouse gas emissions estimates were unchanged from the initial permit renewal application. The PTE for criteria pollutants was estimated based on AP-42 emission factors, not-to-exceed emission rates for Tier 2, 3, and 4i emission standards, and any allowable emission rates and/or operational limits applicable to emissions units at the stationary source. Except for EU IDs 8, 9, 14, 22, 23, 29a through 33a, and 34 through 37, emission calculations were based on 8,760 hours of operations unless there was an applicable limit on hours of operation or fuel usage. EU ID 8 was identified as an emergency engine in the application for Operating Permit AQ1121TVP03. EU IDs 9, 14, 22, 23, 29a through 33a, and 34 through 37 are emergency engines. The applicant computed the PTE of EU IDs 8, 9, 14, 22, 23, 29a through 33a, and 34 through 37 using 500 operating hours per year.<sup>2</sup>

HAP emissions were calculated using AP-42 emission factors. Emissions for CO<sub>2</sub>, CH<sub>4</sub>, and N<sub>2</sub>O were calculated using emission factors found in 40 CFR Part 98, Section C, Tables C-1 and C-2 and converted into CO<sub>2</sub>e using the respective global warming potentials in Table A-1 of 40 CFR 98.

### **BASIS FOR REQUIRING AN OPERATING PERMIT**

In accordance with AS 46.14.130(b), an owner or operator of a Title V source<sup>3</sup> must obtain a Title V permit consistent with 40 CFR Part 71, as adopted by reference in 18 AAC 50.040.

Except for sources exempted or deferred by AS 46.14.120(e) or (f), AS 46.14.130(b) lists the following categories of sources that require an operating permit:

- A major source;
- A stationary source that contains an emissions unit subject to federal New Source Performance Standards (NSPS) under Section 111 of the Clean Air Act or National Emission Standards for Hazardous Air Pollutants (NESHAP) under Section 112 of the Clean Air Act;
- Another stationary source designated by the Federal Administrator by regulation.

The Permittee is required to obtain an operating permit for the Fort Wainwright (Privatized Emission Units) as specified under 18 AAC 50.326(a) and 40 CFR 71.3(a) because it is a major stationary source for the following reasons.

- As defined in Section 112 of the Act, it emits or has the potential to emit, in the aggregate, 10 tpy or more of any hazardous air pollutant (HAP), 25 tpy or more of any combination of such HAP, or such lesser quantity as the Federal Administrator may establish by rule; and

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<sup>2</sup> EU ID 8 is subject to an owner requested limit of 500 operating hours per year, as specified in Condition 14.

<sup>3</sup> *Title V source* means a stationary source classified as needing a permit under AS 14.130(b) [ref. 18 AAC 50.990(111)].

- As defined in Section 302 of the Clean Air Act, it directly emits, or has the potential to emit, 100 tpy or more of any air pollutant

## AIR QUALITY PERMITS

### Permit History

Air Quality Operating Permit AQ0236TVP01 was issued on April 14, 2003. This permit was for the entire stationary source at that time (i.e., Fort Wainwright (Privatized Emission Units) and the USAGA Fort Wainwright). Stationary source-specific requirements established in this previous permit were included in AQ1121TVP01, Rev. 3 and are included in the renewal permit as described in Table E.

### Title I (Construction and Minor) Permits

Construction Permit No. 0031-AC059 Rev 1 was issued to this stationary source on July 2, 2001. The stationary source-specific requirements established in this construction permit are included in AQ1121TVP01, Rev. 3 and are included in the renewal permit as described in Table E.

Construction Permit No. 0031-AC059 Rev 1 was split and the permit applicable to the Fort Wainwright (Privatized Emission Units) is Minor Permit AQ1121MSS01, issued September 9, 2008.

Minor Permit AQ1121MSS02 was issued to Doyon Utilities on August 19, 2009 for installation of EU ID 8.

Minor Permit AQ1121MSS03 was issued to Doyon Utilities on January 12, 2010, revising and replacing Condition 2 of AQ1121MSS01.

### Title V Operating Permits

The owner submitted a Title V permit application on December 7, 1997 and amended this application on September 27, 2001. The owner submitted an errata and additional information on October 9, 2001. The Department issued Operating Permit AQ0236TVP01 on April 14, 2003.

AQ1121TVP01. The owner submitted a Title V renewal application in November 7, 2007 and submitted a revised Title V renewal application on April 1, 2008. The privatized sources were transferred to DU and Operating Permit AQ1121TVP01 was issued on December 5, 2008, effective January 4, 2009. The owner submitted a request for significant revision on June 1, 2009 to amend the pending minor permit to the Title V renewal permit.

- Revision 1. An administrative amendment to AQ1121TVP01 was issued on January 26, 2010 incorporating Minor Permit AQ1121MSS03 by reference.
- Revision 2. The owner submitted a request for a significant permit modification on August 3, 2010. A Significant Modification to AQ1121TVP01 was issued on March 1, 2011 approving the Compliance Assurance Monitoring (CAM) plan as modified.
- Revision 3. The owner submitted a request for Significant Modification on December 20, 2011 to change Permit Condition 6 and AQ1121TVP01 Revision 3 was issued on May 17, 2012.

AQ1121TVP02. The owner or operator submitted a permit renewal application on June 3, 2013. An amended application was received on January 27, 2014. The Department issued Operating Permit AQ1121TVP02 on January 30, 2015.

- Revision 1. On April 24, 2015, the owner submitted a letter requesting the Department to correct material mistakes in Operating Permit AQ1121TVP02. The Department classified the request as a minor revision of Operating Permit AQ1121TVP02.
- Revision 2. On February 8, 2016, the owner submitted an application to revise Operating Permit AQ1121TVP02 Revision 1. The Department revised the permit to include transition language for the conversion of EU ID 8 from emergency to non-emergency operation.

AQ1121TVP03. The owner or operator submitted a permit renewal application on May 3, 2019.

### **COMPLIANCE HISTORY**

US Army Garrison Alaska, Fort Wainwright has operated at its current location since 1953. Review of the permit files for this source, which includes the past inspection reports indicate a source generally operating in compliance with its operating permit. The full compliance evaluation covering December 11, 2014 through August 20, 2016, including an onsite visit on July 20, 2016, found this portion of the source to be out of compliance with several permit conditions. The Permittee took corrective actions to address the compliance issues and was in compliance as of September 13, 2016. The full compliance evaluation covering August 21, 2016 through May 31, 2018, including onsite visits February 1-2, 2018 and April 18, 2018, found this portion of the source to be out of compliance with several permit conditions. The Permittee took corrective action to address violations of Conditions 24.2, 42.17d(ii)A, and 101 of Operating Permit AQ1121TVP02 Revision 2. Non-compliance with Conditions 1.1, 42, and 42.2 are being addressed through an enforcement case. The full compliance evaluation covering June 1, 2018 through December 31, 2019, including an onsite visit February 27, 2020, found this portion of the source to be out of compliance with several permit conditions. The Permittee took corrective actions to address the compliance issues and was in compliance as of March 25, 2020.

### **APPLICABLE REQUIREMENTS FROM PRECONSTRUCTION PERMITS**

Incorporated by reference at 18 AAC 50.326(j), 40 CFR Part 71.2 defines “applicable requirement” to include the terms and conditions of any preconstruction permit issued under rules approved in Alaska’s State Implementation Plan (SIP).

Alaska’s SIP includes the following types of preconstruction permits:

- Permit to Operate issued on or before January 17, 1997 (these permits cover both construction and operations);
- Construction permits issued on or after January 18, 1997; and
- Minor permits issued on or after October 1, 2004.

Preconstruction permit terms and conditions include both source-specific conditions and conditions derived from regulatory applicable requirements such as standard conditions, generally applicable conditions and conditions that quote or paraphrase requirements in regulation. These requirements include, but are not limited to, each emissions unit- or source-

specific requirement established in these permits issued under 18 AAC 50 that are still in effect at the time of this operating permit issuance. Title V Permit AQ1121TVP01 included all construction authorizations issued through December 5, 2008. Operating Permit AQ1121TVP01, Rev. 1 carried forward applicable stationary source-specific terms and conditions from Minor Permit AQ1121MSS03. Unit-specific conditions from these minor permits have been carried forward into Operating Permit AQ1121TVP03.

Table E below lists the minor permit requirements carried into renewal Operating Permit AQ1121TVP03, indicating any condition changes to ensure compliance with the applicable requirements.

**Table E - Comparison of Minor Permit Conditions to Operating Permit AQ1121TVP03 Conditions<sup>4</sup>**

Permit No. and Condition No.	Description of Requirement	Permit No. AQ1121TVP03 Condition No.	How condition was revised
AQ1121MSS03 Condition 2.1a	Baghouse control	1.2a	No revisions
AQ1121MSS03 Condition 2.1e	COMS spec report	4.1a	No revisions
AQ1121MSS03 Condition 2.1d	COMS reporting	6.1	No revisions
AQ1121MSS01 Conditions 3 & 8	Owner requested limit (ORL) for particulate matter emissions	10.1	Added “of exhaust gas corrected to standard conditions and averaged over three hours”
AQ1121MSS01 Condition 4.1	Sulfur compound emissions	19	No revisions
AQ1121MSS01 Condition 5	NO <sub>x</sub> ORL for PSD avoidance	27	Added gap-fill reporting under Condition 27.1c
AQ1121MSS01 Condition 6	Steam production ORL	28	Added reference to Condition 12.2c and separated reporting sub-condition
AQ1121MSS02 Condition 6	ORL for EU ID 8	29	No revisions
AQ1121MSS04 Conditions 5–7	Serious SIP SO <sub>2</sub> BACT for EU IDs 1–6	31–33	No revisions
AQ1121MSS04 Condition 8	Serious SIP SO <sub>2</sub> BACT for EU IDs 8, 9, 14, 22, 23, 29a, 31a, and 34–37	34	No revisions
AQ1121MSS04 Condition 9	Serious SIP PM <sub>2.5</sub> BACT for EU IDs 7a, 7b, 7c, 51a, and 51b	35	No revisions
AQ1121MSS04 Condition 10	Serious SIP PM <sub>2.5</sub> BACT for EU ID 52	36	No revisions

<sup>4</sup> This table does not include all standard and general conditions.

## NON-APPLICABLE REQUIREMENTS

This section discusses standard conditions that have not been included in the permit and other requirements that are not included for specific reasons.

**40 CFR 68 Risk Management Plan (RMP):** The stationary source is not subject to the general duty clause under the Clean Air Act Section 112(r)(1) (40 CFR 68.10) because it does not have a threshold quantity of a regulated substance in a process as determined in 40 CFR 68.115.

**40 CFR 63, Subpart B:** The stationary source is classified as a major source of Hazardous Air Pollutants (HAP). Major sources of HAP must employ Maximum Achievable Control Technology (MACT) emission limitations as specified in 40 CFR Part 63. The “Boiler MACT” rule, 40 CFR 63 Subpart DDDDD, was originally promulgated in 2004, then subsequently vacated in June 2007. As required in 40 CFR 63 Subpart B, the Alaska Department of Environmental Conservation issued a Title V permit, Permit AQ1121TVP01, with emission standards determined on a case-by-case basis for the Fort Wainwright coal-fired boilers, Emission Units 1 through 6, on December 5, 2008.

On March 21, 2011, the EPA promulgated the final 40 CFR 63 Subpart DDDDD, but on that same day, the EPA also published a notice announcing its intent to reconsider certain provisions of the final rule. In the Federal Register issued on January 31, 2013, the EPA took final action on the proposed reconsideration. With the promulgation of the final 40 CFR 63 Subpart DDDDD, as part of their renewal application, DU identified that the emission standards in the 40 CFR 63 Subpart DDDDD are more stringent than the case-by-case MACT emission standards in the AQ1121TVP01, Revision 3. Therefore, DU requested to transition from the case-by-case MACT requirements to 40 CFR 63 Subpart DDDDD for Emission Units 1 through 6. As of January 4, 2017, DU became subject to 40 CFR 63 Subpart DDDDD and was no longer subject to the case-by-case MACT requirements under 40 CFR 63 Subpart B.

**40 CFR 63, Subpart UUUUU:** The requirements of 40 CFR 63 Subpart UUUUU, NESHAP for Coal and Oil-Fired Electric Utility Steam Generating Units, apply to coal- and oil-fired electric utility steam generating units as defined in 40 CFR 63.10042. The coal-fired boilers, EU IDs 1 through 6, do not meet the definition of electric utility steam generating units because each unit combusts less than 25 megawatts output. In addition, the electricity that is supplied to the Fort Wainwright electrical distribution system by these emissions units is not “for sale,” or sold. Under the utilities privatization contract, DU owns the Fort Wainwright CHPP, and the Defense Logistics Agency (DLA) pays DU to operate the Fort Wainwright CHPP. However, per the contract, DLA and the Army do not purchase electricity from DU. Instead, the contract specifies that electricity (and steam) generated at the CHPP are already the property of the DLA.

## STATEMENT OF BASIS FOR THE PERMIT CONDITIONS

The Department adopted regulations from 40 CFR 71, as specified in 18 AAC 50.040(j), to establish operating permit regulations. The EPA fully approved the Alaska Operating Permit Program on November 30, 2001, as noted in Appendix A to 40 CFR 70. This Statement of Basis, required under 40 CFR 71.11(b), provides the legal and factual basis for each condition of Operating Permit AQ1121TVP03. Additionally, and as required by 40 CFR 71.6(a)(1)(i), the state and federal regulations for each permit condition are cited in the permit.

## Conditions 1 through 9. Visible Emissions Standard and MR&R

**Legal Basis:** These conditions require compliance with the visible emissions standard in 18 AAC 50.055(a).

- 18 AAC 50.055(a) applies to the operation of fuel-burning equipment and industrial processes. EU IDs 1 through 6 and 8, 9, 14, 22, 23, 29a through 33a, and 34 through 37 are fuel-burning equipment and EU IDs 7a, 7b, and 7c are industrial processes.

EPA approved the addition of these standards to the SIP, as noted in 40 CFR 52.70. The Department included permit conditions for MR&R as required by 40 CFR 71.6(a)(3) and 71.6(c)(1).

**Factual basis:** Condition 1 prohibits the Permittee from causing or allowing visible emissions in excess of the applicable standard in 18 AAC 50.055(a)(9) for coal-fired boilers that began operation before August 17, 1971. Condition 2 prohibits the Permittee from causing or allowing visible emissions in excess of the applicable standard in 18 AAC 50.055(a)(1) for industrial processes and fuel burning equipment. The monitoring, recordkeeping and reporting (MR&R) requirements for visible emissions are set forth in Conditions 4 through 9 of the permit.

Condition 3 provides for temporary delays from visible emissions monitoring of the baghouse, EU IDs 7a, 7b, and 7c. These emissions units have insignificant emission levels and do not smoke or emit dust. For EU IDs 7a, 7b, and 7c, as long as they do not exceed the PM<sub>10</sub> threshold in Condition 3, which is the PM<sub>10</sub> significant emissions threshold in 18 AAC 50.326(e), they are considered insignificant units and no visible emissions observations are required. Monitoring of PM<sub>10</sub> emissions (in pounds) is required by Condition 3.1a. This allowance for temporary delays of the monitoring requirement was originally established in Permit AQ0236TVP01, Condition 84.3, and subsequently carried forward into this permit.

Conditions 1 and 4 are from Standard Permit Condition (SPC) XIII for coal-fired boilers. Condition 4 provides coal-fired boiler visible emissions monitoring and procedures for operation of a COMS. Condition 2.1(e) from Minor Permit AQ1121MSS03 was included as Condition 4.1a and requires verification that the COMS meets the performance specification in 40 CFR 60, Appendix B, PS-1.

Condition 4.2 more clearly specifies the operation and maintenance requirements for the COMS required to be used on EU IDs 1 through 6, by making reference to Condition 62.5c, which specifies the operation and maintenance requirements for COMS. Condition 4.5 establishes requirements for performance audits of the COMS.

The Department added Condition 4.6 to provide monitoring requirements in the event that a COMS is out of service. This gap-fill requirement is consistent with the Method 9 monitoring requirements of 40 CFR 60 Subpart Dc for boilers not required to install COMS. In addition, Conditions 5 and 6 were added to provide corresponding visible emissions recordkeeping and reporting requirements for the coal-fired boilers, which are not included in SPC XIII.

Under Condition 7, the Permittee must establish by visual observations, which may be supplemented by other means such as a defined Stationary Source Operation and

Maintenance Program, that the stationary source is in continuous compliance with the state standard for visible emissions.

These conditions detail a stepwise monitoring program for monitoring compliance with the state's visible emissions standard for liquid fuel-burning emissions units. Equipment types covered by these conditions are internal combustion engines, turbines, heaters, boilers, and flares. Initial monitoring frequency schedules are established along with subsequent reductions or increases in frequency depending on the results of the self-monitoring program.

Reasonable action thresholds are established in these conditions that require the Permittee to progressively address potential visible emission problems from emissions units either through maintenance programs and/or more rigorous tests that will quantify whether a specific emission standard has been exceeded.

Monitoring – The emissions unit exhaust must be observed by either the Method-9 or the Smoke/No Smoke Plans as detailed in Condition 7. Corrective actions such as maintenance procedures or more frequent or less frequent observations may be required depending on the results of the observations. Monitoring of visible emissions for EU IDs 1 through 6 is presented under Condition 4.

For EU IDs 9, 14, 22, 23, 29a through 33a, and 34 through 37, as long as they do not exceed the significant emissions thresholds listed in 18 AAC 50.326(e), as stated in Condition 2.2, they are considered insignificant units and no visible emissions observations are required. Monitoring shall consist of an annual statement of compliance with the visible emissions standard based on reasonable inquiry. If an EU meets or exceeds a significant emissions threshold, the Permittee is required to monitor, record, and report visible emissions in accordance with Conditions 7 through 9 for that emissions unit for the remainder of the permit term.

Recordkeeping – The Permittee is required to record the results of all visible emission observations and record any actions taken to reduce visible emissions.

Reporting – The Permittee is required to report emissions in excess of the state visible emissions standard and deviations from permit conditions. The Permittee is also required to include copies of the results of all visible emission observations in the operating report.

### **Conditions 10 through 14, Particulate Matter Emissions Standards and MR&R**

**Legal Basis:** These conditions require compliance with the applicable requirements in 18 AAC 50.055(b).

- 18 AAC 50.055(b) applies to the operation of fuel-burning equipment and industrial processes. EU IDs 1 through 6 and 8, 9, 14, 22, 23, 29a through 33a, and 34 through 37 are fuel-burning equipment and EU IDs 7a, 7b, and 7c are industrial processes.

This particulate matter standards apply because they are contained in the federally approved SIP. The Department included permit conditions for MR&R as required by 40 CFR 71.6(a)(3) and 71.6(c)(1).

**Factual basis:** Condition 10 prohibits emissions in excess of the state particulate matter standard in 18 AAC 50.055(b)(2) & (3) for a steam generating plant fueled by coal and in operation before July 1, 1972 and for an industrial process in operation before July 1, 1972.

Condition 10.1 incorporates an owner requested limit (ORL) established in Minor Permit AQ1121MSS01. This ORL was originally established in Permit to Operate No. 9331-AA003 for EU IDs 1 through 6 and it limits PM emissions (filterable plus condensable) to no greater than 0.05 grains per dry standard cubic foot. The condition was revised to include “of exhaust gas corrected to standard conditions and averaged over three hours” for clarity.

Conditions 12 and 13 are from Standard Permit Condition (SPC) XIII for coal-fired boilers. Condition 12 provides coal-fired boiler particulate matter emissions monitoring and requires periodic source tests. The Department revised the frequency to coincide with the PM testing under Condition 62.8 in order to remove certain duplicative requirements. The Permittee requested that compliance with the PM standards of Conditions 10 and 10.1 be demonstrated by compliance with 40 CFR 63 Subpart DDDDD PM requirements. However, because the emission limits are not the same (total PM vs filterable PM) the Department is just allowing the source test frequency to coincide.

The Department revised Condition 12.2a to clarify that the Permittee must conduct the tests in accordance with Section 7 and report the results in accordance with Condition 93. Condition 12.2d requires that that visible emissions monitoring is conducted during particulate matter source testing even if the COMS is out of service. Reporting requirements for EU IDs 1 through 6 are contained at Condition 13.

MR&R requirements for particulate matter monitoring and recordkeeping for EU IDs 7a, 7b, and 7c are set forth in Condition 14. Condition 99 requires the reporting of excess emissions, Condition 100 requires the reporting of compliance in the operating report, and Section 6 provides the general source testing requirements. For EU IDs 8, 9, 14, 22, 23, 29a through 33a, and 34 through 37, particulate matter monitoring is only required if the units exceed the operating threshold in Conditions 2.2 and 29. Conditions 15 through 17 contain the particulate matter MR&R requirements for these units.

### **Conditions 18 through 25, Sulfur Compound Emissions Standard and MR&R**

**Legal Basis:** This condition requires compliance with the sulfur compound emissions standard under 18 AAC 50.055(c).

- 18 AAC 50.055(c) applies to the operation of fuel-burning equipment and industrial processes. EU IDs 1 through 6, 8, 9, 14, 22, 23, 29a through 33a, and 34 through 37 are fuel-burning equipment.

The sulfur compound standard applies because it is contained in the federally approved SIP. The Department included permit conditions for MR&R as required by 40 CFR 71.6(a)(3) and 71.6(c)(1).

**Factual basis:** The Permittee may not cause or allow the affected equipment to violate the applicable sulfur compound standard. Sulfur dioxide comes from the sulfur in the fuel (e.g. coal, natural gas, fuel oils).

#### Coal:

The coal’s sulfur content is measured as weight percent sulfur. If the weight percent of sulfur is not available, the Permittee is required to analyze the coal using an appropriate test method. If the coal contains more than 0.4 percent sulfur by weight, the Permittee is required to calculate the three-hour exhaust gas SO<sub>2</sub> concentration in accordance with Condition 20.

### Liquid Fuels:

EU IDs 8, 14, 29a through 33a, 35 and 37 are subject to 40 CFR 60 Subpart IIII and are required by Condition 46 to use fuel that meets the requirements of 40 CFR 1090.305 which includes a maximum sulfur content of 15 ppm (0.0015 percent). The fuel with thereby meet the state sulfur compound standard of 500 ppm. The Permittee is required to keep receipts or supplier documentation that specifies the fuel grades combusted.

EU IDs 9, 22, 23, 34, and 36, are not required to but will likely combust diesel fuel that does not exceed 0.5 percent by weight. The Permittee is required to keep receipts or supplier documentation that specifies the fuel grades combusted.

### **Conditions 27 through 36, Preconstruction Permit Requirements**

**Legal Basis:** The Permittee is required to comply with all stationary source-specific requirements that were carried forward from previous

- SIP-approved Permits to Operate issued on or before January 17, 1997,
- operating permits issued between January 18, 1997 and September 30, 2004,
- stationary source-specific requirements in EPA PSD permits,
- SIP-approved construction permits,
- SIP-approved minor permits, and
- owner requested limits established under 18 AAC 50.225.

These requirements include Best Available Control Technology (BACT) limits, limits to ensure compliance with the attainment or maintenance of ambient air quality standards or maximum allowable ambient concentrations, and owner requested limits. Requirements from the permits listed above apply because they were originally developed through case-by-case action under a federally-approved SIP or approved operating permit program. ORLs from Minor Permits AQ1121MSS01 and AQ1121MSS02 apply to EU IDs 1 through 6 and EU 8.

**Factual Basis:** Condition 27 incorporates limits that were established to avoid classification as a PSD major modification. Requirements for CO and O<sub>2</sub> CEMS were not carried forward in this permit as there is no regulatory basis for those requirements.

Condition 28 is an ORL originally established in Permit No. 9331-AA003, and revised in Minor Permit AQ1121MSS01 (Condition 6), that limits steam production at EU IDs 1 through 6 to 150,000 pounds per hour. Condition 12.2c applies to boilers with a steam production limit and allows the Permittee to source test and obtain a new steam production limit in accordance with the procedures specified in the condition. Condition 12.2c is based on SPC XIII 4.2d.

Condition 29, from Minor Permit AQ1121MSS02, was added to establish an ORL under 18 AAC 50.508(5) to limit the oxides of nitrogen (NO<sub>x</sub>) and sulfur dioxide (SO<sub>2</sub>) emissions from EU ID 8. The purpose of the ORL is to avoid project classification under 18 AAC 50.502(c)(3). This permit satisfies the obligation of the Permittee to obtain a minor permit under 18 AAC 50.

### Condition 30, Insignificant Emissions Units

**Legal Basis:** The Permittee is required to meet the state emission standards in 18 AAC 50.055 for all industrial processes and fuel-burning equipment regardless of size. 18 AAC 50.055 is contained in the federally approved SIP. The Department also added permit conditions for MR&R as required by 40 CFR 71.6(a)(3) and 71.6(c)(1).

**Factual Basis:** The Department used the language in SPC V, adopted by reference under 18 AAC 50.346(b)(4), for the permit. The condition requires insignificant emissions units to comply with the state emission standards for visible emissions, particulate matter emissions, and sulfur-compound emissions. Insignificant emissions units are not generally listed in operating permits unless specific monitoring, recordkeeping and reporting are necessary to ensure compliance with the state emissions standards. However, the Permittee may not cause or allow insignificant emission units at the stationary source to violate these standards whether or not they are listed in the operating permit.

The Department finds that the insignificant units at this stationary source do not require specific monitoring, recordkeeping and reporting to ensure compliance under these conditions.

Condition 30.4a requires certification that the insignificant units did not exceed state emission standards during the previous year and did not emit any prohibited air pollution based on reasonable inquiry. For EU ID(s) 9, 14, 22, 23, 29a through 33a, and 34 through 37, as long as they do not exceed the significant emissions thresholds listed in 18 AAC 50.326(e), as stated in Condition 2.2, they are considered insignificant units and no monitoring is required.

### Conditions 31 through 36, State Implementation Plan BACT Requirements

**Legal Basis:** Conditions 31 through 36 are from Minor Permit AQ1121MSS04 and include the Serious SIP BACT requirements for SO<sub>2</sub> and PM<sub>2.5</sub>. The requirements are included in this Title V permit as required under 40 CFR 71.6, adopted by reference in 18 AAC 50.040(j).

**Factual Basis:** The designation of the Fairbanks North Star Borough nonattainment area as “Serious” with regard to nonattainment of the 2006 24-hour PM<sub>2.5</sub> National Ambient Air Quality Standards was published in Federal Register Vol. 82, No. 89, May 10, 2017, pages 21703-21706. CAA section 189(b)(1)(B) and 40 CFR 51.1010 describe the Serious area attainment plan requirements for best available control measures. The conditions contained in this permit are those required in Table 7.7-11 of the Amendments to: State Air Quality Control Plan Vol II: III.D.7.7 Control Strategies document; adopted November 19, 2019.

### Conditions 37 through 42, 40 CFR 60 Subpart A Requirements

**Legal Basis:** The EPA approved Alaska’s Part 70 Program on November 30, 2001 (40 CFR 70 Appendix A). As the permitting authority for the Part 70 Program, the Department requires compliance with all permit conditions. Although the EPA has not delegated to the Department the authority to administer the New Source Performance Standard (NSPS) program, NSPS requirements are included in the definition for “applicable requirement” under 40 C.F.R. 71.2, which has been adopted by the Department under 18 AAC 50.040(j)(1).

The NSPS provisions under Subparts Y and IIII apply to the stationary source. Therefore, the Department requires compliance with those standards in a Part 70 permit issued under the approved program. Since the Department expects access to any permit-related information provided by the Permittee to the EPA, the Department will act on its responsibility as the permitting authority to determine compliance with the standard.

Most affected facilities (with the exception of some storage tanks) subject to an NSPS are subject to Subpart A. At this stationary source, EU IDs 7a, 7b, and 7c are subject to 40 CFR 60 Subpart Y and EU IDs 8, 14, 29a, 31a, 35, and 37 are subject to 40 CFR 60 Subpart IIII. Therefore, these emissions units are subject to Subpart A.

Conditions 37 through 37.2- The Permittee has already complied with the notification requirements in 40 CFR 60.7(a)(1) through (4) for EU IDs 7a, 7b, and 7c; therefore, the requirement to provide the actual startup date was not included in the permit. Pursuant to 40 CFR 60.4214(b), the Permittee is not required to submit an initial notification under 40 CFR 60 Subpart IIII for emergency stationary ICE. However, the Permittee is still subject to these requirements in the event of a new NSPS source or reconstruction of one of these sources.

Conditions 37.4 through 37.6 - The requirements to notify the EPA and the Department of the date of a continuous monitoring system performance demonstration, no less than 30 days before demonstration commences (40 CFR 60.7(a)(5) – (7)) are applicable to EU IDs 1 through 6 only if a CMS is installed as an NSPS requirement, which is not the case for this source.

Condition 37.7 - The requirements to notify the EPA and the Department of any proposed replacement of components of an existing facility (40 CFR 60.15) apply in the event that the fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable entirely new facility.

Condition 38 - Start-up, shutdown, or malfunction record maintenance requirements in 40 CFR 60.7(b) are applicable to most NSPS affected facilities subject to Subpart A. However, emissions units subject to 40 CFR 60 Subpart IIII are not subject to this condition because 40 CFR 4214(a), which is part of 40 CFR 60 Subpart IIII, does not require such records.

Recordkeeping requirements in 40 CFR 60.7(f) are applicable to all NSPS sources. (Satisfied by Condition 95)

Condition 39 - The Permittee must comply with any applicable initial performance test requirements in 40 CFR 60.8. The Permittee is still subject to these requirements in the event of a new NSPS affected facility, in the event of a modification or reconstruction of an existing facility into an affected facility or at such other times as may be required by EPA or the Department.

Condition 40 - Good air pollution control practices in 40 CFR 60.11 are applicable to EU IDs 7a, 7b, and 7c. EU IDs 8, 14, 29a through 33a, 35, and 37 are not subject to 40 CFR 60.11(d) per Table 8 to 40 CFR 60 Subpart IIII.

Condition 41 – The condition states that any credible evidence may be used to demonstrate compliance or establishing violations of relevant NSPS standards for EU IDs 7a, 7b, 7c.

EU IDs 8, 14, 29a through 33a, 35, and 37 are not subject to 40 CFR 60.11(g) per Table 8 to 40 CFR 60 Subpart III.

Condition 42 - Concealment of emissions prohibitions in 40 CFR. 60.12 are applicable to EU IDs 7a, 7b, 7c, 8, 14, 29a through 33a, 35, and 37.

**Factual Basis:** Subpart A contains general requirements applicable to all affected facilities (emissions units) subject to NSPS. In general, the intent of NSPS is to provide technology-based emission control standards for new, modified, and reconstructed affected facilities.

### Condition 43, 40 CFR 60 Subpart Y Requirements

**Legal Basis:** The provisions of 40 CFR 60 Subpart Y apply to affected facilities in coal preparation and processing plants that process more than 181 Mg (200 tons) of coal per day and were built or modified after October 24, 1974. EU IDs 7a, 7b, 7c were modified after October 24, 1974 and collectively have a capacity of 150 tons per hour or 3600 tons per day. The source is subject only to a federal opacity standard.

**Factual Basis:** This condition incorporates Subpart Y opacity requirements. An initial source test was required by 40 CFR 60 Subpart A and has been completed. Monitoring and reporting is required in accordance with Condition 43.1.

### Condition 44, 40 CFR 60 Subpart III Requirements

**Legal Basis:** The Department has incorporated by reference the 40 CFR 60 requirements for specific industrial activities, as listed in 18 AAC 50.040(a). The requirements of 40 CFR Part 60, Subpart III apply to stationary compression ignition internal combustion engines (CI ICE) that commence construction, modification, or reconstruction after July 11, 2005 where the stationary CI ICE are manufactured after April 1, 2006 for non-fire pump engines. EU IDs 8, 14, 29a through 33a, 35, and 37 are emergency engines subject to the requirements of 40 CFR 60 Subpart III.

**Factual Basis:** This condition incorporates the 40 CFR 60 Subpart III emissions standards applicable to EU IDs 8, 14, 29a through 33a, 35, and 37. The Permittee may not cause or allow these emissions units to violate these standards. This condition also provides MR&R specifically called for within the subpart. The Permittee is required to operate and maintain the stationary CI ICE according to the manufacturer's written instructions or procedures developed by the Permittee that are approved by the engine manufacturer.

Emission standards that apply to Subpart III-affected CI ICE depend on several factors, including, but not limited to, the unit's purpose (whether emergency or non-emergency), model year, displacement in liters/cylinder, and location. Some of this information is provided in Table A of the permit.

For EU IDs 14, 29a through 33a, 35, and 37, the Permittee shall certify that the emission standards in 40 CFR 60.4205(b) are met, for all pollutants, for the same model year and maximum engine power for their 2007 model year and later emergency stationary CI ICE. For EU ID 8, the Permittee shall certify that the emission standards in 40 CFR 60.4205(b) (emergency operation) and 40 CFR 60.4204(b) (non-emergency operation) are met, for all pollutants, for the same model year and maximum engine power for the 2009 model year

stationary CI ICE. Each engine must be installed and configured according to the manufacturer's specifications. The Permittee shall meet the applicable fuel requirements in 40 CFR 60.4207.

In order for the engine to be considered an emergency stationary ICE, any operation other than emergency operation, maintenance and testing, emergency demand response, and operation in nonemergency situations for more than 50 hours per year, as described in Condition 47.4 is prohibited.

EU IDs 8 (before startup as a non-emergency engine), 14, 29a through 33a, 35, and 37 are not subject to the notification requirements in 40 CFR 60.7. The Department added a permit shield to Table C to reflect that the notifications requirements in 40 CFR 60.4214 do not apply to these emissions units.

### **Condition 48, 40 CFR 63 Subpart A Requirements**

**Legal Basis:** The Permittee must comply with applicable National Emission Standards for Hazardous Air Pollutants (NESHAP). 40 CFR 63 requirements are included in the “applicable requirement” definition under 40 CFR 71.2, which has been adopted by the Department under 18 AAC 50.040(j)(1).

Most facilities subject to a NESHAP requirement are subject to 40 CFR 63 Subpart A. The Permittee shall comply with the applicable general provisions as specified in Table 8 to 40 CFR 63, Subpart ZZZZ. Similarly, the Permittee shall comply with the applicable 40 CFR 63 Subpart A requirements as specified in Table 10 to 40 CFR 63 Subpart DDDDD.

**Factual Basis:** 40 CFR 63 Subpart A contains general requirements applicable to all facilities and emissions units subject to NESHAP requirements. In general, the intent of NESHAP is to regulate specific categories of stationary sources that emit or have the potential to emit one or more hazardous air pollutants.

Conditions 49.1 through 49.4 contain additional 40 CFR 63 Subpart A requirements for EU ID 8 on startup as a non-emergency engine. These include requirements for performance tests, continuous monitoring systems, initial notification, notification of compliance status, and recordkeeping.

### **Conditions 50 through 54, 40 CFR 63 Subpart ZZZZ Requirements**

**Legal Basis:** The Department has incorporated by reference the NESHAP requirements for specific industrial activities, as listed in 18 AAC 50.040(c). The provisions of 40 CFR 63, Subpart ZZZZ apply to owners and operators of any existing, new, or reconstructed stationary reciprocating internal combustion engine (RICE), whose construction commenced before June 12, 2006, located at major and area sources of HAP emissions, excluding stationary RICE units being tested at a stationary RICE test cell/stand.

Per 40 CFR 63.6590(a)(2)(i), RICE at a major source of HAP with a site rating of more than 500 hp whose construction commenced on or after December 19, 2002 are new under 40 CFR 63, Subpart ZZZZ. Per 40 CFR 63.6590(b)(1)(i), a new stationary emergency RICE with a site rating of more than 500 brake hp located at a major source of HAP emissions that does not operate or is not contractually obligated to be available for more than 15 hours per calendar year for the purposes specified in 40 CFR 63.6640(f)(2)(ii) and (iii) are not subject to the requirements of 40 CFR 63, Subpart ZZZZ, except for the initial notification

requirements outlined under 40 CFR 63.6645(f). As such, when operated as an emergency engine EU ID 8 is only subject to the initial notification requirements outlined under 40 CFR 63.6645(f). The Permittee submitted the initial notification for EU ID 8 on October 14, 2009 and therefore has already satisfied the initial notification requirements.

Per 40 CFR 63.6590(a)(2)(ii), RICE at a major source of HAP rated less than 500 hp whose construction commenced on or after June 12, 2006 are new and subject to the provisions of 40 CFR 63 Subpart ZZZZ. EU IDs 14, 29a through 33a, 35 and 37 satisfy these criteria. Per 40 CFR 63.6590(c)(7), new compression ignition RICE at a major source of HAP with a site rating of less than or equal to 500 hp must meet the requirements of 40 CFR 63 Subpart ZZZZ by meeting the requirements of 40 CFR 60 Subpart IIII. The emissions limitations, operating limitations, and corresponding MR&R requirements are provided in Condition 44.

Per 40 CFR 63.6590(a)(1)(ii), RICE located at a major source of HAP with a site rating of less than or equal to 500 hp whose construction commenced before June 12, 2006 are existing and subject to the provisions of 40 CFR 63 Subpart ZZZZ. EU IDs 9, 22, 23, 34, and 36 satisfy these criteria.

**Factual Basis:** Subpart ZZZZ emissions limitations, operating limitations and corresponding MR&R requirements for existing emergency engines, EU IDs 9, 22, 23, 34, and 36, are provided in Conditions 51 through 54. In order for an engine to be considered an emergency stationary ICE, any operation other than emergency operation, maintenance and testing, emergency demand response, and operation in nonemergency situations for more than 50 hours per year, as described in Condition 52.3 is prohibited.

#### **Conditions 55 through 61, Additional 40 CFR 63 Subpart ZZZZ Requirements for EU ID 8 Applicability:**

**Applicability:** Provisions of 40 CFR 63, Subpart ZZZZ apply to new non-emergency engines at a major source of HAP rated > 500 hp. On startup as a non-emergency engine, EU ID 8 becomes subject to these requirements.

**Factual Basis:** Condition 55 contains the transition language for EU ID 8 from emergency to non-emergency operation. Conditions 56 through 61 contain the requirements for non-emergency operation. The requirements include general compliance, emission & operating limitations, performance testing, monitoring, notification, recordkeeping, and reporting.

#### **Conditions 62 through 64, 40 CFR 63 Subpart DDDDD Requirements**

**Applicability:** The Department has incorporated by reference the 40 CFR 63 requirements for specific industrial activities, as listed in 18 AAC 50.040(c). 40 CFR 63 Subpart DDDDD applies to owners and operators of any industrial, commercial, or institutional boiler or process heater as defined in 40 CFR 63.7575 that is located at, or is part of, a major source of HAP. EU IDs 1 through 6 are existing coal-fired boilers, each rated at 230 MMBtu/hr and installed in 1953. The requirements of Subpart DDDDD are included in the permit for EU IDs 1 through 6.

**Factual Basis:** For EU IDs 1 through 6 the Permittee shall comply with the applicable operating limitations no later than January 4, 2017.

Subpart DDDDD emissions and operating limitations and corresponding MR&R requirements are provided in Condition 62. EU IDs 1 through 6 are subject to emission limits in Table 2 to 40 CFR 63 Subpart DDDDD (Condition 62.2), the work practice standards in Table 3 to 40 CFR 63 Subpart DDDDD (Condition 62.3), and the applicable operating limits in Table 4 to 40 CFR 63 Subpart DDDDD (Condition 62.4). DU will install, operate, and maintain an oxygen analyzer system, COMS, and continuous parameter monitoring system. In addition, the Permittee will also demonstrate compliance through performance stack testing and/or fuel analysis. The Permittee is required to conduct a tune up of each boiler every 5 years in accordance with 40 CFR 63.7540(a)(12). The one-time energy assessment was completed in 2015.

### **Condition 65, Asbestos NESHP**

**Legal Basis:** The requirements of 40 CFR 61 are applicable requirements for Title V permitting purposes, as stated in item 4 of the “applicable requirement” definition under 40 CFR 71.2. The condition requires the Permittee to comply with asbestos demolition or renovation requirements in 40 CFR 61, Subpart M and associated general provisions under Subpart A, as adopted by reference under 18 AAC 50.040(b)(1) and (2)(F). The asbestos demolition and renovation requirements apply if the Permittee engages in asbestos demolition or renovation. The Department received delegation for 40 CFR 61.145 and 61.154 of Subpart M (Asbestos), along with other sections and appendices which are referenced in 61.145, as 61.145 applies to sources required to obtain an operating permit under Alaska's regulations. The Department has not received delegation for Subpart M for sources not required to obtain an operating permit under Alaska's regulations.

**Factual Basis:** Because these regulations include adequate monitoring and reporting requirements, simply citing the regulatory requirements is sufficient to ensure compliance with these federal regulations.

### **Condition 66 Compliance Assurance Monitoring (CAM)**

**Legal Basis:** This condition applies because the stationary source has emissions units that satisfy all the CAM applicability criteria in 40 CFR 64.2(a)(1) through (3). The EUs are subject to an applicable emission limitation or standard, the units use a control device to comply with the applicable standard, and the units have potential pre-control emissions of the applicable regulated air pollutant equal to or greater than the major source threshold. CAM provisions apply to EU IDs 1 through 6 due to the operation of a control device (baghouse) for meeting the PM standard in 18 AAC 50.055(b).

**Factual Basis:** The renewal application included a request that the CAM requirements be replaced with a condition that references 40 CFR 63 Subpart DDDDD particulate matter requirements. The application stated that monitoring requirements of 40 CFR 63 Subpart DDDDD are more stringent than the Part 64 CAM requirements and also included a demonstration that the Filterable PM limit in Subpart DDDDD (~ 0.0297 gr/dscf) is more restrictive than the state PM standard (0.05 gr/dscf) in 18 AAC 50.055(b). The Department reviewed the analysis provided in the application and then compared the CAM requirements to the PM monitoring requirements under 40 CFR 63 Subpart DDDDD. The state PM standard and CAM Plan requirements apply at all times, whereas the PM emission limit under 40 CFR 63 Subpart DDDDD does not apply during periods of startup and shutdown,

per 40 CFR 63.7500(f). Therefore, the Department determined that the MR&R requirements for 40 CFR 63 Subpart DDDDD provide a reasonable assurance of compliance with the state PM standard as long as gap fill requirements are included in Condition 66 to cover periods of startup and shutdown.

### **Condition 68 through 70, Protection of Stratospheric Ozone, 40 CFR 82**

**Legal Basis:** The requirements of 40 CFR 82 are applicable requirements for Title V permitting purposes, as stated in item 12 of the “applicable requirement” definition under 40 CFR 71.2.

Condition 68 requires compliance with the applicable requirements in 40 CFR 82, as adopted by reference under 18 AAC 50.040(d). The requirements apply if the Permittee engages in the recycling or disposal of certain refrigerants. The condition requires the Permittee to comply with the standards for recycling and emission reduction of refrigerants in 40 CFR 82, Subpart F.

Conditions 69 and 70 also require compliance with the applicable requirement adopted under 18 AAC 50.040(d). Condition 69 prohibitions apply to all stationary sources that use substitutes for ozone-depleting compounds. Condition 70 prohibitions apply to all stationary sources that use halon for extinguishing fires and inert gas to reduce explosion risk. These conditions prohibit the Permittee from causing or allowing violations of these requirements.

**Factual Basis:** These conditions incorporate applicable 40 CFR 82 requirements. Because the regulations include adequate monitoring and reporting requirements, simply citing the regulatory requirements is sufficient to require compliance with this federal regulation.

### **Condition 71, 40 CFR 63 Applicability Determinations**

**Legal Basis:** This condition requires the Permittee to determine rule applicability of 40 CFR Part 63, and requires record keeping for those determinations if required by the source classification.

**Factual Basis:** The Permittee has conducted an analysis of the stationary source and determined that it is a major HAP stationary source based on emissions. This condition requires the Permittee to keep records of applicability determinations and make those records available to the Department.

### **Conditions 72 through 74, Standard Terms and Conditions**

**Legal Basis:** These are standard conditions required for all operating permits under 18 AAC 50.345(a) and (e) through (g). As stated in 18 AAC 50.326(j)(3), the standard permit conditions of 18 AAC 50.345 replace the provisions of 40 CFR 71.6(a)(5) through (7).

**Factual Basis:** These are standard conditions that apply to all permits.

### **Condition 75, Administration Fees**

**Legal Basis:** This condition requires compliance with the applicable fee requirements in 18 AAC 50.400-403. As stated in 18 AAC 50.326(j)(1), the provisions of 18 AAC 50.400 through 50.430 are applicable and 40 CFR 71.9 is not applicable.

**Factual Basis:** Paying administration fees is required as part of obtaining and holding a permit with the Department or as a fee for a Department action. The regulations in 18 AAC 50.400-403 specify the amount, payment period and the frequency of fees applicable to a permit action.

### Conditions 76 and 77, Emission Fees

**Legal Basis:** These conditions require compliance with the applicable fee requirements in 18 AAC 50.410-420. The regulations specify the time period for the assessable emissions and the methods the Permittee may use to calculate assessable emissions. As stated in 18 AAC 50.326(j)(1), the provisions of 18 AAC 50.400 through 50.430 are applicable and 40 CFR 71.9 is not applicable

**Factual Basis:** The Department used the language in SPC I, adopted by reference under 18 AAC 50.346(b), for the permit. SPC I requires the Permittee to pay fees in accordance with the Department's billing regulations. The billing regulations set the due dates for payment of fees based on the billing date. The assessable emissions are the lesser of the stationary source's potential or projected emissions of each air pollutant in quantities of 10 tons per year or greater (AS 46.14.250(h)(1)).

SPC I also allows the Permittee to recalculate the stationary source's assessable emissions based on previous actual annual emissions. According to AS 46.14.250(h)(1), assessable emissions are based on each air pollutant. Therefore, fees shall be paid on any pollutant emitted whether or not the permit contains any limitation of that pollutant.

This standard condition specifies that, unless otherwise approved by the Department, calculations of assessable emission must be based on actual emissions for the previous calendar year. Since each current year's assessable emissions are based on the previous year, the Department will not give refunds or make additional billings at the end of the current year if the estimated emissions and current year actual emissions do not match.

### Condition 78, Good Air Pollution Control Practice (GAPCP)

**Legal Basis:** This condition requires compliance with the requirements in 18 AAC 50.346(b)(5) and applies to all emissions units, **except** those subject to an emission standard in 40 CFR 60, 61, or 63, those subject to continuous emission or parametric monitoring requirements, and insignificant emissions units.

**Factual Basis:** The condition requires the Permittee to comply with good air pollution control practices for EU IDs 51a and 51b.

The Department adopted this condition under 18 AAC 50.346(b) as SPC VI pursuant to AS 46.14.010(e). Records kept in accordance with Condition 78.2 for units subject to GAPCP need to be maintained for 5 years in accordance with Condition 95 even if a unit is no longer subject to this condition.

Maintaining and operating equipment in good working order is fundamental to preventing unnecessary or excess emissions. Standard conditions for monitoring compliance with emission standards are based on the assumption that good maintenance is performed. Without appropriate maintenance, equipment can deteriorate more quickly than with appropriate maintenance. If appropriate maintenance is not applied to the equipment, the

Department may have to apply more frequent periodic monitoring requirements (unless the monitoring is already continuous) to ensure that the monitoring results are representative of actual emissions.

The Permittee is required to keep maintenance records to show that proper maintenance procedures were followed, and to make the records available to the Department. The Department may use these records as a trigger for requesting source testing if the records show that an adequate maintenance schedule is not maintained.

### **Condition 79, Dilution**

**Legal Basis:** This condition reiterates 18 AAC 50.045(a), which prohibits the Permittee from using dilution as an emission control strategy. 18 AAC 50.045(a) is included in the SIP approved by EPA and therefore an applicable requirement per 40 CFR 71.2.

**Factual Basis:** The condition prohibits the Permittee from diluting emissions as a means of compliance with any standard in 18 AAC 50.

### **Condition 80, Reasonable Precautions to Prevent Fugitive Dust**

**Legal Basis:** This condition reiterates 18 AAC 50.045(d), which requires a person to use reasonable precautions when handling, storing or transporting bulk materials or engaging in an industrial activity. 18 AAC 50.045 is included in the SIP approved by EPA and therefore an applicable requirement per 40 CFR 71.2.

This requirement applies to stationary source because the Permittee has an emission unit or activity listed under Table 7 of 18 AAC 50.346(c). The listed emissions units and activities in Table 7 are: coal-fired boilers; coal handling facilities; construction of gravel pads or roads that are part of a permitted stationary source or other construction that has the potential to generate fugitive dust that reaches ambient air; commercial/industrial/municipal solid waste, air curtain, medical waste incinerators; sewage sludge incinerators not using wet methods to handle that ash; mines; urea manufacturing; soil remediation units; or dirt roads under the control of the operator with frequent vehicle traffic.

**Factual Basis:** The Department used the language in SPC X for the permit but included an additional requirement. Condition 80.1 requires compliance with the Permittee's dust control plan. The condition requires the Permittee to take reasonable action to prevent particulate matter from being emitted into the ambient air in accordance with 18 AAC 50.045(d).

### **Condition 81, Stack Injection**

**Legal Basis:** This condition reiterates 18 AAC 50.055(g), which prohibits the Permittee from releasing materials other than process emissions, products of combustion, or materials introduced to control pollutant emissions from a stack (i.e. disposing of material by injecting it into a stack). 18 AAC 50.055(g) is included in the SIP approved by EPA and therefore an applicable requirement per 40 CFR 71.2.

Stack injection requirements apply to stacks of emissions units at a stationary source constructed or modified after November 1, 1982.

**Factual Basis:** No specific monitoring for this condition is practical. Compliance is verified by inspections, because the unit or stack would need to be modified to accommodate stack injection.

### **Condition 82, Air Pollution Prohibited**

**Legal Basis:** This condition requires compliance with 18 AAC 50.110, which is included in the SIP approved by EPA and therefore an applicable requirement per 40 CFR 71.2. The condition prohibits the Permittee from causing any emission which is injurious to human health or welfare, animal or plant life, or property, or which would unreasonably interfere with the enjoyment of life or property. The Department included permit conditions for MR&R as required by 40 CFR 71.6(a)(3) and 71.6(c)(1).

**Factual Basis:** The Department used the language in SPC II for the permit. This condition spells out how to monitor, record, and report prohibited air pollution. While the other permit conditions and emissions limitation should ensure compliance with this condition, unforeseen emission impacts can cause violations of this standard. These violations would go undetected except for complaints from affected persons. Therefore, to monitor compliance, the Permittee must monitor and respond to complaints.

The Permittee is required to report any complaints and injurious emissions. The Permittee must keep records of the date, time, and nature of all complaints received and summary of the investigation and corrective actions undertaken for these complaints and must submit copies of these records upon request of the Department.

### **Condition 83, Technology-Based Emission Standard**

**Legal Basis:** The Permittee is required to take reasonable steps to minimize emissions if unavoidable emergency, malfunction, or non-routine repair activities cause an exceedance of any technology-based emission standard in this permit. This condition requires compliance with the requirement in 18 AAC 50.235. Technology-Based Emission Standard requirements apply because the stationary source contains equipment subject to a technology-based emission standard, such as BACT, MACT, LAER, NSPS or any other similar standard for which the stringency of the standard is based on determinations of what is technologically feasible, considering relevant factors.

**Factual Basis:** The conditions of this permit list applicable technology-based emission standards and require excess emission reporting for each standard in accordance with Condition 99. Excess emission reporting under Condition 99 requires information on the steps taken to minimize emissions. Monitoring of compliance for this condition consists of the report required under Condition 100.

### **Condition 84, Open Burning**

**Legal Basis:** The condition requires the Permittee to comply with the requirements in 18 AAC 50.065 when conducting open burning at the stationary source. 18 AAC 50.065 is included in the SIP approved by EPA and therefore an applicable requirement per 40 CFR 71.2. The state open burning regulation in 18 AAC 50.065 applies to the Permittee if the Permittee conducts open burning at the stationary source.

**Factual Basis:** The Permittee may conduct open burning by following the provisions of 18 AAC 50.065 and by following the Department guidelines posted at the website <http://dec.alaska.gov/air/air-permit/open-burn-info>. Condition 84.1 requires the Permittee to keep records to demonstrate compliance with the standards for conducting open burning.

More extensive monitoring and recordkeeping is not warranted because the Permittee does not conduct open burning as a routine part of their business. Also, most of the requirements are prohibitions, which are not easily monitored. Compliance is demonstrated through annual certification required under Condition 101.

### **Condition 85, Requested Source Tests**

**Legal Basis:** The Permittee is required to conduct source tests as requested by the Department. This requirement is under 18 AAC 50.220(a) and 50.345(k), which are included in the SIP approved by EPA.

**Factual Basis:** This condition applies because this is a standard condition to be included in all operating permits, as specified in 18 AAC 50.345(a). Compliance is demonstrated through the submission of the required source test plan and report.

### **Conditions 86 through 88, Operating Conditions, Reference Test Methods, Excess Air Requirements**

**Legal Basis:** Conditions 86 and 88 require compliance with the applicable requirements in 18 AAC 50.220(b) and (c)(3), which are included in the SIP approved by EPA. Condition 87 specifies source test methods, as required by 40 CFR 71.6(a)(3)(i) and 71.6(c)(1). These requirements apply because the Permittee is required by the permit to conduct source tests or a source test may be requested by the Department. The Permittee is required to conduct source tests in the manner set out in Conditions 86 through 88.

**Factual Basis:** These conditions supplement the specific monitoring requirements stated elsewhere in this permit.

### **Condition 89, Test Exemption**

**Legal Basis:** This condition incorporates the source test exemption in 18 AAC 50.345(a) regarding visible emissions observations. 18 AAC 50.345(a) is included in the SIP approved by EPA.

**Factual Basis:** As provided in 18 AAC 50.345(a), the requirements for test plans, notifications and reports do not apply to visible emissions observations by smoke readers, except in connection with required particulate matter testing.

### **Conditions 90 through 93, Test Deadline Extension, Test Plans, Notifications and Reports**

**Legal Basis:** Conditions 91 through 93 require compliance with the applicable requirements in 18 AAC 50.345(m) through (o), which are included in the SIP approved by EPA. Condition 90 contains the requirement in 18 AAC 50.345(l). The requirements in 18 AAC 50.345(l) through (o) constitute standard conditions that must be included in each operating permit, as specified in 18 AAC 50.345(a). These requirements apply because the Permittee is required to conduct source tests as set out by this permit or as requested by the Department.

**Factual Basis:** These standard conditions supplement specific monitoring requirements stated elsewhere in this permit.

#### **Condition 94, Particulate Matter Calculations**

**Legal Basis:** This condition requires the Permittee to reduce particulate matter data in accordance with 18 AAC 50.220(f), which is included in the SIP approved by EPA. It applies when the Permittee tests for compliance with the particulate matter standards in 18 AAC 50.050 or 50.055.

**Factual Basis:** The condition incorporates a regulatory requirement for particulate matter source tests. The Permittee must use the equation given in this condition to calculate the particulate matter emission concentration from the source test results. This condition supplements specific monitoring requirements stated elsewhere in this permit.

#### **Condition 95, Recordkeeping Requirements**

**Legal Basis:** This condition requires the Permittee to keep records in accordance with 40 CFR 71.6(a)(3)(ii), which the Department adopted by reference under 18 AAC 50.040(j)(4). It also incorporates the general NSPS recordkeeping requirement under 40 CFR 60.7(f), which the Department adopted by reference under 18 AAC 50.040(a)(1).

**Factual Basis:** The condition restates the regulatory requirements for recordkeeping, and supplements the recordkeeping defined for specific conditions in the permit. The records being kept provide evidence of compliance with this requirement.

40 CFR 60.7(f) requires records retention for at least two years of the measurements required to be maintained by 40 CFR Part 60 while 40 CFR 71.6(a)(3)(ii) requires at least five years of records retention. The five-year records retention requirement in Condition 95 satisfies both 40 CFR 60.7(f) and 40 CFR 71.6(a)(3)(ii).

#### **Condition 96, Certification**

**Legal Basis:** All operating permits must contain a requirement to certify permit applications, reports, affirmations, or compliance certifications, per 18 AAC 50.345(j). The requirement is a part of the SIP approved by EPA.

**Factual Basis:** The Department used the language in SPC XVII, adopted by reference under 18 AAC 50.346(b)(10), for the permit condition. The requirement in 18 AAC 50.345(j) is a standard condition that must be included in each operating permit, as specified in 18 AAC 50.345(a). 18 AAC 50.345(j) allows the excess emissions reports to be certified with the operating report. However, the Department reminds the Permittee that excess emissions reports must be submitted according to the applicable deadline given in Condition 99 and must not be withheld from the Department until the deadline for submittal of an operating report. This condition supplements the reporting requirements of this permit. The certification statement through electronic signature and options for submittal provide paperless options for reporting without compelling Permittees to any specific means of submission.

### Condition 97, Submittals

**Legal Basis:** This condition applies because the Permittee is required to send reports to the Department and supplements the standard reporting and notification requirements of this permit.

**Factual Basis:** The Department used the language in SPC XVII, adopted by reference under 18 AAC 50.346(b)(10), for the permit condition. This condition lists the Department's appropriate address for reports and written notices. This condition states that the Department requires one certified copy of submitted reports (except as otherwise required by the Department or other conditions of the permit) and provides an allowance for either electronic or hard copy document submittals. The condition also directs the Permittee to refer to the submission instructions on the Department's Standard Permit Conditions webpage for additional information regarding document submittals (e.g., the appropriate Department address).

### Condition 98, Information Requests

**Legal Basis:** All operating permits must include a condition that requires the Permittee to furnish certain information upon request, per 18 AAC 50.345(i). The requirement is part of the SIP approved by EPA.

**Factual Basis:** The requirement in 18 AAC 50.345(i) is a standard condition that must be included in each operating permit, as specified in 18 AAC 50.345(a). This condition requires the Permittee to submit information requested by the Department.

### Condition 99, Excess Emission and Permit Deviation Reports

**Legal Basis:** This condition requires the Permittee to comply with the requirements in 18 AAC 50.235(a)(2) and 18 AAC 50.240(c). The Permittee is also required to notify the Department when emissions or operations deviate from the requirements of the permit.

**Factual Basis:** This condition satisfies two state regulations related to excess emissions — the technology-based emission standard regulation and the excess emission regulation. Although there are some differences between the regulations, the condition satisfies the requirements of each regulation.

The Department used the language in SPC III, adopted by reference under 18 AAC 50.346(b)(2), for the permit condition. The Department used the notification form in SPC IV, adopted by reference under 18 AAC 50.346(b)(3), for the notification requirements (see *Section 12*).

### Condition 100, Operating Reports

**Legal Basis:** This condition specified reporting requirements as required by 40 CFR 71.6(a)(3)(iii)(A) which the Department has adopted under 18 AAC 50.040(j)(4).

**Factual Basis:** The Department used the language in SPC VII, adopted by reference under 18 AAC 50.346(b)(6), for the permit condition. The condition restates the requirements for reports listed in regulation. The condition supplements the specific reporting requirements elsewhere in the permit.

The condition specifies that for the transition periods between an expiring permit and a renewal permit the Permittee shall ensure that there is date-to-date continuity between the expired permit and the renewal permit such that the Permittee reports against the permit terms and conditions of the permit that was in effect during those partial date periods of the transition. No format is specified. The Permittee may provide one report accounting for each permit term or condition and the effective permit at that time. Alternatively, the Permittee may choose to provide two reports: one accounting for reporting elements of permit terms and conditions from the end date of the previous operating report until the date of expiration of the old permit, and a second operating report accounting for reporting elements of terms and conditions in effect from the effective date of the renewal permit until the end of the reporting period.

### **Condition 101, Annual Compliance Certification**

**Legal Basis:** This condition requires compliance with the requirements in 40 CFR 71.6(c)(5), which the Department adopted by reference under 18 AAC 50.040(j).

**Factual Basis:** This condition specifies the periodic compliance certification requirements and specifies a due date for the annual compliance certification.

Condition 101.2 provides clarification of transition periods between an expiring permit and a renewal permit to ensure that the Permittee certifies compliance with the permit terms and conditions of the permit that was in effect during those partial date periods involved in the transition. No format is specified. The Permittee may provide one report certifying compliance with each permit term or condition of the effective permit at that time; or may choose to provide two reports — one certifying compliance with permit terms and conditions from January 1 until the date of expiration of the old permit, and a second report certifying compliance with terms and conditions in effect from the effective date of the renewal permit until December 31.

The Permittee is required to submit to the Department an annual compliance certification report. The Permittee may submit the required report electronically at their discretion.

### **Condition 102, Emission Inventory Reporting**

**Legal Basis:** This condition requires the Permittee to submit emissions data to the Department so the Department is able to satisfy the federal requirement to submit emission inventory data from point sources to the EPA as required under 40 CFR 51.15 and 51.321. The emission inventory requirement applies to sources defined as point sources in 40 CFR 51.50. The state must report emissions data as described in 40 CFR 51.15 and the data elements in Tables 2a and 2b of Appendix A, 40 CFR 51 Subpart A, to EPA.

**Factual Basis:** The Department used the language in SPC XV, adopted by reference under 18 AAC 50.346(b)(8) for the permit condition.

The emission inventory data is due to EPA 12 months after the end of the reporting year (40 CFR 51.30(a)(1) and (b)(1)). Permittees have until April 30th to compile and submit the data to the Department. To expedite the Department's process of transferring data into EPA's electronic reporting system, the Department encourages Permittees to submit the emission inventory through the Department's electronic emission inventory submission system in the Permittee Portal on the Department's Air Online Services web page

<http://dec.alaska.gov/Applications/Air/airtoolsweb/> . A myAlaska account and profile are needed to gain access to the Permittee Portal. Other options to submit the emission inventory are via mail, email, or fax.

Detailed instructions on completing and submitting the emission inventory and the report form are available at the Point Source Emission Inventory page at <http://dec.alaska.gov/Applications/Air/airtoolsweb/PointSourceEmissionInventory> by clicking the Emission Inventory Instructions button. The emission inventory instructions and report form may also be obtained by contacting the Department.

To ensure that the Department's electronic system reports complete information to the National Emissions Inventory, Title V stationary sources are required to submit with each report emissions data described in 40 CFR 51.15 and the data elements in Tables 2a and 2b to Appendix A of 40 CFR 51 Subpart A, as applicable. Title V stationary sources with potential annual emissions greater than or equal to any of the emission thresholds shown in Condition 102.1 for Type A (large) sources, as listed in Table 1 to Appendix A of 40 CFR 51 Subpart A, are required to report emission inventory data every year for the previous calendar year (also known as the inventory year). For triennial inventory years, Type A sources only need to submit one report, not both an annual report and a separate triennial report.

Title V stationary sources with potential annual emissions greater than or equal to any of the emission thresholds for Type B (small) sources shown in Condition 102.2a (for attainment and unclassifiable areas) and Condition 102.2b (for nonattainment areas), as listed in Table 1 to Appendix A of 40 CFR 51 Subpart A, are required to report emission inventory data every third year (i.e., triennially) for the previous inventory year. The emission thresholds for nonattainment areas listed in Condition 102.2b vary depending on the nonattainment status of the area. As of June 9, 2017, Fairbanks and North Pole urban area have been designated by the federal administrator as "serious nonattainment" for PM<sub>2.5</sub>. Therefore, a stationary source located in Fairbanks and North Pole urban area is subject to the triennial reporting requirement if its potential to emit is greater than or equal to any of the threshold values in Conditions 102.2b(i), 102.2b(ii), 102.2b(iii) (PM<sub>10</sub> only), and 102.2b(iv).

As of the issue date of this permit, the Fort Wainwright (Privatized Emission Units) is a Type A stationary source located in a PM<sub>2.5</sub> non-attainment area.

### **Condition 103, NSPS and NESHAP Reports**

**Legal Basis:** The Permittee is required to provide the Department a copy of each report submitted to EPA as required for emissions units subject to 40 CFR 60 or 40 CFR 63 federal regulations under 18 AAC 50.326(j)(4). 40 CFR 70 Appendix A documents that EPA fully approved the Alaska operating permit program effective November 30, 2001.

**Factual Basis:** The condition supplements the specific reporting requirements in 40 CFR 60, 40 CFR 61, and 40 CFR 63. The reports themselves provide monitoring for compliance with this condition.

### **Condition 104, Permit Applications and Submittals**

**Legal Basis:** 40 CFR 71.10(d)(1), adopted by reference under 18 AAC 50.040(j)(7), requires submission of a copy of each permit application to EPA.

**Factual Basis:** The Department used the language in SPC XIV, adopted by reference under 18 AAC 50.346(b)(7), for the permit condition. The condition directs the applicant to send a copy of each application for modification or renewal of this permit to the EPA. The information may be submitted in electronic format if practicable. This condition shifts the burden of compliance with 40 CFR 71.10(d)(1) from the Department to the Permittee as allowed under 40 CFR 71.10(d)(1).

### **Conditions 105 through 107, Permit Changes and Revisions Requirements**

**Legal Basis:** The Permittee is obligated to notify the Department of certain off-permit source changes and operational changes under 18 AAC 50.326(j)(4). 40 CFR 71.6(a)(8), (12), and (13), incorporated by reference under 18 AAC 50.040(j), require that these provisions be included in operating permits.

**Factual Basis:** 40 CFR 71.6(a)(12), and (13), as reflected in Conditions 106 and 107 respectively, specify changes that may be made without a permit revision. 40 CFR 71.6(a)(8) (Conditions 105) states that permit revisions are not required for some emissions trading and similar programs.

The Permittee did not request trading of emission increases and decreases as described in 40 CFR 71.6(a)(13)(iii), therefore the language addressing these provisions has not been included in the permit.

### **Condition 108, Permit Renewal**

**Legal Basis:** The Permittee must submit a timely and complete operating permit renewal application if the Permittee intends to continue source operations in accordance with the operating permit program. The obligations for a timely and complete operating permit application are in 40 CFR 71.5(a)–(c), adopted by reference in 18 AAC 50.040(j)(3) and 18 AAC 50.326(c).

**Factual Basis:** In accordance with AS 46.14.230(a), this operating permit is issued for a fixed term of five years after the date of issuance, unless a shorter term is requested by the permit applicant. The Permittee is required to submit an application for permit renewal by the specific dates applicable to the stationary source as listed in this condition. As stated in 40 CFR 71.5(a)(1)(iii), submission for a permit renewal application is considered timely if it is submitted at least six months but no more than eighteen months prior to expiration of the operating permit. According to 40 CFR 71.5(a)(2), a complete renewal application is one that provides all information required pursuant to 40 CFR 71.5(c) and must remit payment of fees owed under the fee schedule established pursuant to 18 AAC 50.400. 40 CFR 71.7(b) states that if a source submits a timely and complete application for permit issuance (including renewal), the source's failure to have a permit is not a violation until the permitting authority takes final action on the permit application.

Therefore, as long as an application has been submitted within the timeframe specified under 40 CFR 71.5(a)(1)(iii), and is complete before the expiration date of the existing permit, then the expiration of the existing permit is extended and the Permittee has the right to operate under that permit until the effective date of the new permit. However, this protection shall cease to apply if, subsequent to the completeness determination, the applicant fails to submit

by the deadline specified in writing by the Department any additional information needed to process the application.

**Conditions 109 through 113, General Compliance Requirements and Schedule**

**Legal Basis:** These conditions require compliance with the applicable requirements in 18 AAC 50.345(b) through (d) and (h) and 40 CFR 71.6(c)(3). As stated in 18 AAC 50.345(a), the requirements in 18 AAC 50.345(b) through (d) and (h) are standard conditions that must be included in all operating permits issued by the Department.

**Factual Basis:** These are standard conditions for compliance required for all operating permits.

**Conditions 114 and 115, Permit Shield**

**Legal Basis:** These conditions require compliance with the requirements in 40 CFR 71.6(f), adopted by reference under 18 AAC 50.326(j)(4). These requirements apply because the Permittee has requested that the Department shield the stationary source from specific non-applicable requirements listed under this condition.

**Factual Basis:** Table C of Operating Permit AQ1121TVP03 shows the permit shields that the Department granted to the Permittee. Should any of the shielded requirements become applicable during the permit term, the Permittee is required to take necessary steps to comply with all applicable requirements in a timely manner. The following table shows the requests that were denied and the reasons that they were denied. The Department based the determinations on the permit application, past operating permits, Title I permits, and inspection reports.

**Table F - Permit Shields Denied**

Shield Requested	Reason for Shield Request	Reason for Denial
40 CFR 60.4209(b), 60.4214(c), Subpart III	Engine not equipped with a diesel particulate filter.	Because EU ID 8 is not equipped with a diesel particulate filter, these are not potentially applicable requirements and therefore a permit shield is not relevant.
40 CFR 60.4204, 60.4211(b), (d) & (e), 40.4212, 60.4213, 60.4214(a), Subpart III	Engine is a certified 2009 model year emergency engine and no testing is required.	The requirements applicable to pre-2007 model year engines are not potentially applicable to EU ID 8 and therefore a permit shield is not relevant.
40 CFR 60.4200(a)(1), 60.4201, 60.4202, 60.4203, & 60.4210, Subpart III	Doyon Utilities (DU) is not a manufacturer of engines.	Requirements applicable to engine manufacturers are not potentially applicable to DU and therefore a permit shield is not relevant.
40 CFR 60.4204, Subpart III	EU IDs 30a, 32a, 33a, and 37 are emergency engines.	Requirements applicable to non-emergency engines are not potentially applicable to EU IDs 30a, 32a, 33a, and 37 and therefore permit shields are not relevant.

Shield Requested	Reason for Shield Request	Reason for Denial
40 CFR 60.4205(c), Tables 3, 4 & 6, Subpart III	EU IDs 30a, 32a, 33a, and 37 are not fire-pump engines.	Requirements applicable to fire-pump engines are not potentially applicable to EU IDs 30a, 32a, 33a, and 37 and therefore permit shields are not relevant.
40 CFR 60.4205(a), 60.4211(b), & Table 1, Subpart III	EU IDs 30a, 32a, 33a, and 37 were manufactured after 2010.	The requirements applicable to pre-2007 model year engines are not potentially applicable to EU IDs 30a, 32a, 33a, and 37 and therefore permit shields are not relevant.
40 CFR 60.4205(d), 60.4207(d), 60.4211(d), 60.4213, 60.4214(a), & Table 7, Subpart III	EU IDs 30a, 32a, 33a, and 37 each have a displacement of less than 10 L/cylinder.	These are not potentially applicable requirements and therefore a permit shield is not relevant.
40 CFR 60.4205(f) & 60.4211(e), Subpart III	EU IDs 30a, 32a, 33a, and 37 were not modified or reconstructed.	These are not potentially applicable requirements and therefore a permit shield is not relevant.
40 CFR 60.4212, Subpart III	EU IDs 30a, 32a, 33a, and 37 are not required to conduct emissions testing under 40 CFR 60, Subpart III.	A valid reason was not given for the shield. However, emissions testing is not an applicable requirement for EU IDs 30a, 32a, 33a, and 37 because
40 CFR 60.4217, Subpart III	EU IDs 30a, 32a, 33a, and 37 do not use any special fuels.	This is not a potentially applicable requirement and therefore a permit shield is not relevant.
Table 2 to 40 CFR 60, Subpart III	EU IDs 30a, 32a, 33a, and 37 each have a rating greater than 50 hp.	This is not a potentially applicable requirement and therefore a permit shield is not relevant.
40 CFR 63.7540(a)(10)(i), Subpart DDDDD	EU IDs 1 through 6 are stoker-fed coal-fired boilers and do not have burners. The requirement to conduct a burner inspection is not applicable.	The requirement is not potentially applicable and therefore a permit shield is not relevant. A footnote was added to Condition 62.3d(i).
40 CFR 63.7500(c)-(e), 63.7510(f) & (g), 63.7515(h), 63.7521(f)-(i), 63.7530(g), 63.7540(a)(11), 63.7545(c) & (f), 63.7555(a)(3), (g) & (h), Tables 1, 11, 12, 13, Subpart DDDDD	EU IDs 1 through 6 are existing coal-fired boilers with heat input capacities of greater than 10 MMBtu/hr that are not limited use boilers.	These are not potentially applicable requirements and therefore a permit shield is not relevant
Output based limits in Tables 1 & 2, 40 CFR 63, Subpart DDDDD	The output-based emission limits in units of lb/MMBtu the Tables 1-2 are an alternative applicable only to boilers that generate either steam, cogenerate steam with electricity, or both. The output-based emission limits in units of lb/MWh are an alternative applicable only to boilers that generate only electricity.	These are not potentially applicable requirements and therefore a permit shield is not relevant